

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAE HENDERSON, JR.,
Plaintiff,

v.

JEFFREY Y. HAMILTON, et al.,
Defendants.

No. 1:21-cv-00697-JLT-SKO

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 12)

On April 28, 2021, plaintiff Dae Henderson, Jr., proceeding *pro se* and *in forma pauperis*, filed a complaint. (Doc. No. 1.) On June 30, 2021, before the court screened the initial complaint, plaintiff filed a first amended complaint as a matter of course, *see* Fed. R. Civ. P. Rule 15(a)(1). (Doc. No. 6.) On July 12, 2021, plaintiff lodged another amended complaint¹ (Doc. No. 8), which the court construed as a motion to amend the first amended complaint, and granted. (Doc. No. 12.) The Clerk of the Court was directed to file the July 12, 2021 lodged amended complaint as the second amended complaint. (*Id.*)

On November 24, 2021, the assigned magistrate judge screened the second amended complaint, issued findings that the complaint failed to state any cognizable claims because

¹ Despite having filed a first amended complaint on June 30, 2021 (Doc. No. 6), plaintiff titles the amended pleading lodged on July 12, 2021, as a “First Amended Complaint” (*see* Doc. No. 8).

1 plaintiff's claims against defendants were precluded by immunity, and recommended that
2 plaintiff's second amended complaint be dismissed without leave to amend. (Doc. No. 12.)
3 Plaintiff was served with those findings and recommendation and was granted twenty-one (21)
4 days in which to file any objections thereto. (*Id.*) No objections have been filed, and the time do
5 so has expired.

6 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
7 *de novo* review of the case. Having carefully reviewed the entire file, the court finds that the
8 findings and recommendations are supported by the record and proper analysis. Accordingly,

- 9 1. The findings and recommendations issued November 24, 2021 (Doc. No. 12) are
10 adopted in full;
- 11 2. This action is dismissed with prejudice; and
- 12 3. The Clerk of Court is directed to assign a district judge to this matter for the
13 purposes of closure and then to close this case.

14
15 IT IS SO ORDERED.

16 Dated: **January 9, 2022**


UNITED STATES DISTRICT JUDGE